

REMARKS/ARGUMENTS

In the office action dated February 16, 2007, the Office rejected claims 14-24. In response, claims 14 and 16 are amended, and claim 24 is canceled. Applicant maintains that no new matter has been added.

112 Rejection

The Office objected that claim 24 is not supported in the specification. That objection is mooted by cancellation of claim 24.

35 U.S.C. 102 Rejection

Claims 14-21 were rejected under 35 U.S.C. 102(b) as being anticipated by Kwan (US 6,135,769). Applicant respectfully traverses this rejection in view of amendments herein.

Amended claim 14 clarifies that the notch has a length greater than a diameter of the lumen. The "open notch" limitation is taken directly from para [0002], and the length limitation is appreciated most clearly in figures 1, 2, 3a, 3b, 5a, 5b, 8, and 10a.

Kwan teaches a beveled distal end, and another opening through which debris from a drilling operation can exit the drill bit. But the other opening is not a notch, and there is no teaching, suggestion or motivation to extend the length of the opening to form a notch. In fact, one of ordinary skill in the art would reject use of an extended notch because of the resultant weakening of the shaft. The present inventor appreciated that issue (see para [0038]), but also appreciated that the benefits of an extended notch outweigh any potential disadvantage.

The amendments to claim 16 are supported at specification para. [0038].

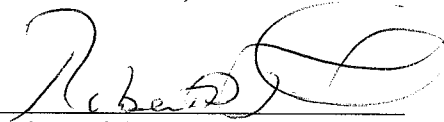
Claim 19 is amended to correct an informality.

Claims 15-23 are amended by virtue of their dependency on claim 14. Applicant respectfully requests the withdrawal of all of the rejections.

Request For Allowance

Claims 14-23 are pending in this application. The applicant requests allowance of all pending claims.

Respectfully submitted,
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